

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

MARSHAUN STEWART

PETITIONER

v.

No. 2:06CV164-P-A

CHRISTOPHER EPPS, ET AL.

RESPONDENTS

**ORDER DENYING MOTION TO AMEND PETITION,
DENYING MOTION TO SUPPLEMENT THE RECORD,
DENYING MOTION TO BE RELEASED ON EXPIRED SENTENCE**

This matter comes before the court on the *pro se* petitioner's October 18, 2006, motion to amend the instant petition for a writ of *habeas corpus*, his January 11, 2007, motion to supplement the record, and his January 17, 2007, motion to be released before February 5, 2007, on expired sentence. For the reasons set forth below, these three motions shall be denied.

The petitioner filed two motions seeking to amend his petition and correct the record in this case to include various documents showing the calculation of his sentence, as well as correspondence between the office of Congressman Bennie Thompson and Commissioner Christopher Epps. Those motions shall be denied, as the state has provided the court with the record in this case. Should it appear that the documents in question stand in conflict with the record provided, then the court shall reconsider the matter in order to resolve the conflict. It appears, however, that the documents in question will not bear on the outcome of this case. In addition, the petitioner has filed a motion seeking his immediate release based upon his perception that his sentence will expire on February 5, 2007. It appears, however, from the petitioner's pleadings and the state's answer that the petitioner's sentence has been computed correctly. As such, the instant motion shall be denied.

In sum, the petitioner's October 18, 2006, motion to amend his petition and his January 11, 2007, motion to supplement the record are hereby **DENIED**. The petitioner's January 17, 2007, motion for immediate release is also hereby **DENIED**.

SO ORDERED, this the 29th day of January, 2007.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE